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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO HEADQUARTERS

UNITED STATES OF AMERICA, <i>ex rel.</i>)	Case No. C 14-03274 EDL
JOHN H. FULLERTON and STATE OF)	
CALIFORNIA, <i>ex rel.</i> JOHN H. FULLERTON,)	
)	CONSENT TO DISMISSAL;
Plaintiffs,)	[PROPOSED] ORDER
)	
v.)	FILED UNDER SEAL
)	
JOEL SKLAR, <i>et al.</i> ,)	
)	
Defendants.)	

Pursuant to 31 U.S.C. § 3730(b)(1), the United States consents to the dismissal of this action without prejudice to the United States. The United States has conferred with Steve Block, Deputy

CONSENT TO DISMISSAL; [PROPOSED ORDER]
 No. 14-03274 EDL

1 Attorney General for the State of California. Mr. Block has represented to the United States that the
 2 State of California also consents to dismissal of this action without prejudice.

3 The United States requests that the Court unseal: (1) Relator's Complaint; (2) the summons, if
 4 any; (3) the scheduling order; (4) Relator's Notice of Dismissal; and (5) this Consent to Dismissal and
 5 Proposed Order. The United States requests that all other contents of the Court's file in this matter
 6 (including, but not limited to, any applications filed by the United States for extensions of the sixty-day
 7 investigative period, any applications for partial lifting of the seal, and any orders previously entered in
 8 this matter) remain under seal and not be made public or served upon defendants. The United States and
 9 the State of California do not object to Relator's request to keep the action under seal until September
 10 30, 2015.

11 A proposed order accompanies this notice.

12 Respectfully submitted,

13 BENJAMIN C. MIZER
 14 Principal Deputy Assistant Attorney
 15 General, Civil Division

16 BRIAN J. STRETCH
 17 Acting United States Attorney

18 Dated: September 17, 2015

By:

Kimberly Friday
 19 KIMBERLY FRIDAY
 20 Assistant United States Attorney

21 Dated: September 17, 2015

By:

Charvey Quarcoo
 22 S. CHARVEY QUARCOO
 23 Civil Division, Department of Justice

24 Dated: September 17, 2015

By:


Steve Block
 25 STEVE BLOCK
 26 Deputy Attorney General
 27 Office of the Attorney General for the State
 28 of California

CERTIFICATION

Pursuant to Local Rule 5-1(i)(3), the undersigned hereby attests that S. Charley Quarcoo and Steve Block have concurred in the filing of this document.

DATED: September 17, 2015

BRIAN J. STRETCH
Acting United States Attorney


KIMBERLY I. FRIDAY
Assistant United States Attorney

PROPOSED ORDER TO UNSEAL

The United States and the State of California having consented to dismissal of this action without prejudice pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), IT IS HEREBY ORDERED that:

1. The Complaint, the summons, the scheduling order, Relator's Notice of Dismissal, this Order, and the accompanying Consent to Dismissal are hereby unsealed.

2. Any applications and/or declarations that have been filed under seal by the United States for an extension of the sixty-day investigative period or for any other reason shall remain under seal and not be made public or served upon the defendants.

3. The seal shall be lifted as to all other matters occurring in this action after the date of this Order.

IT IS SO ORDERED.

Dated: September 25, 2015


ELIZABETH D. LAPORTE
United States Magistrate Judge